

AO 440 (Rev. 06/12) Summons in a Civil Action

FILED - CLERK
U.S. DISTRICT COURT
2013 FEB 26 AM 10:58
TX EASTERN MARSHALL

UNITED STATES DISTRICT COURT
for the
Eastern District of Texas, Marshall Division

My Health, Inc. and University of Rochester

Plaintiff(s)

v.

Civil Action No. 2:13-cv-140

Philips Medical Systems North America, Inc.

Defendant(s)

SUMMONS IN A CIVIL ACTION

To: (*Defendant's name and address*)

Philips Medical Systems North America, Inc.
c/o The Corporation Trust Company
1209 Orange Street
Wilmington, Delaware 19801

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Elizabeth L. DeRieux, Capshaw DeRieux, LLP
114 E. Commerce Ave.
Gladewater, Texas 75647

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 02/15/13



CLERK OF COURT

David Malone

Signature of Clerk or Deputy Clerk

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Civil Action No. 2:13-cv-140.

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(l))

This summons for (*name of individual and title, if any*) **Philips Medical Systems North America, Inc.** was received by me on **2/20/2013**.

[] I personally served the summons on the individual at (*place*) _____ on
(*date*) _____; or

[] I left the summons at the individual's residence or usual place of abode with (*name*) _____,
_____, a person of suitable age and discretion who resides there, on (*date*)
_____ at _____, and mailed a copy to the individual's last known address; or

[] I served the summons (*name of individual*) _____, who is designated by law to accept service of process on behalf of (*name of organization*) _____ on (*date*)
_____; or

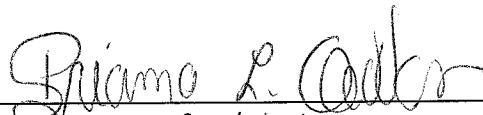
[] I returned the summons unexecuted because _____; or

[X] Other (*specify*): **NON-EST - c/o Corporation Trust Co., 1209 Orange Street, Wilmington, DE 19801 - Merged several times into Philips Electronics North America Corp. - CSC is agent**

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that the information is true.

Date: **2/21/2013**


Server's signature
Brianna L. Oaddams, Special Process Server

O'Rourke Investigative Associates, Inc.
1225 North King Street, Suite 400
P. O. Box 368
Wilmington, DE 19899-0368

Additional information regarding attempted service, etc: